

**RECEIVED
CENTRAL FAX CENTER**

Practitioner's Docket No.: 1414.47

NOV 13 2007**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of: **Jack V. Smith**Application No.: **09/898,958**Filed: **07/03/2001**For: **Inflatable Box**Art Unit: **3728**Examiner: **Shian Tinh Nhan Luong**

Faxed to (571) 273-8300

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY
(37 C.F.R. § 1.137(b))**

1. The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained. Applicant hereby petitions for revival of this application.

2. Attachments

Attached is:

- (a) A statement indicating that the entire delay was unintentional;
- (b) Amendment Transmittal
- (c) Amendment to the Application
- (d) Request for Continued Examination

4. Fee Payment

37 C.F.R. § 1.17(m)

\$770.00 (petition fee)

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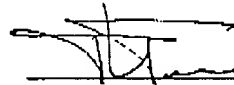
NOV 13 2007

5. The fee required is paid as follows:

☒ Enclosed is one Credit Card Payment Form PTO-2038 in the amount of \$770.00 for payment of petition fee.

Very respectfully,

SMITH & HOPEN, P.A.



SIGNATURE OF PRACTITIONER

Thomas E. Toner
Smith & Hopen, P.A.
180 Pine Avenue North
Oldsmar, FL 34677

Reg. No.: 57,422
Tel. No.: (813) 925-8505

Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence and payment is being transmitted to the United States Patent and Trademark Office by facsimile to (571) 273-8300 on November 12, 2007.

Dated: November 12, 2007


Lauren Reeves

NOV 13 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/898,958 Confirmation No. 9735
Applicants: : Jack V. Smith
Filed: : 07/03/2001
TC/A.U. : 3728
Examiner : Shian Tinh Nhan Luong
Docket No. : 1414.47
Customer No. : 21901

Transmitted to Central Fax at (571) 273-8300
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.10)

HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3728, Attn: Shian Tinh Nhan Luong, (571) 273-8300 on November 12, 2007.

Dated: November 12, 2007


Lauren Reeves

11/14/2007 FMETEK11 00000076 09898958

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(Amendment Transmittal—page 1)

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In re application of: **Jack V. Smith**
Application No.: **09/898,958**
Filed: **07/03/2001**
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Group No.: **3728**
Examiner: **Shian Tinh Nhan Luong**
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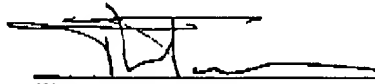
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STATEMENT
(37 C.F.R. § 1.137(b))

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or document and any registration resulting therefrom.

Date: November 12, 2007
Reg. No. 57,422



Thomas E. Toner
Attorney for Applicant

NOV 13 2007

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	14	Minus	20	= 0	x \$25 =	\$0
Indep.	4	Minus	3	= 1	x \$105 =	\$105
First Presentation of Multiple Dependent Claim					+ \$180 =	\$0
Total					Addit. Fee	\$105

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 - ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
 - *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 57,422
Tel. No.: (813) 925-8505

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180 Pine Avenue North
Oldsmar, FL 34677
Attorneys for Applicant

(Amendment Transmittal—page 2)